

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - SDR-11197 - APPLICANT: BARRY ROSS -
OWNER: KATHLEEN S. MAYERS**

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 7, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend DENIAL.

Planning and Development

1. A Variance (VAR-11270) is approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan, building elevations, and floor plans date stamped 03/13/06, except as amended by conditions herein.
4. An exception from parking lot landscaping is hereby approved, to allow less than the required landscaping in the parking lot area.
5. An exception to allow less than the required number of trees is hereby approved.
6. A Waiver of perimeter landscape buffer requirements is hereby approved, to allow a five-foot landscape buffer along the northern boundary where an eight-foot landscape buffer is the minimum required.
7. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center along the northern portion of the site and a minimum of four five-gallon shrubs for each tree within provided planters.
8. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a, including a minimum throat depth 35 feet.
19. Provide a copy of a recorded Joint Access Agreement between both pad sites comprising this overall site prior to the issuance of any permits.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the

approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

EXECUTIVE SUMMARY

The proposal adds a 10,000 square-foot single-story office building to the site currently developed with two office buildings totaling 19,600 square feet. This would bring the total square-footage to 29,600 square feet. The proposed building fails to meet the Residential Character criteria suggested in the P-R (Professional Office and Parking) District. The applicant is requesting a Variance from Residential Adjacency requirements. In addition a Waiver of perimeter landscaping, as well an exception from parking lot landscaping and the required number of trees are requested.

BACKGROUND INFORMATION

A) Related Actions

03/23/06 The Planning Commission recommended denial of a companion Variance (VAR-11270) concurrently with this application.

03/23/06 The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item #29/ng).

B) Pre-Application Meeting

12/09/05 A pre-application conference was held and elements of a Site Development Plan Review were discussed. It was noted that the project would require Waivers and a Variance.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review. A neighborhood meeting was suggested by staff as the proposed addition will require a Variance from Residential Adjacency Standards, but none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.5

B) Existing Land Use

Subject Property: Office
North: Single-Family Residential
South: Single-Family Residential
East: Office
West: Utility

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: L (Low Density Residential)
South: L (Low Density Residential)
ML (Medium-Low Density Residential)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: P-R (Professional Office and Parking)
North: R-1 (Single-Family Residential)
South: R-1 (Single-Family Residential)
R-PD6 (Residential Planned Development – 6 Units Per Acre)
East: P-R (Professional Office and Parking)
West: R-1 (Single-Family Residential)

E) General Plan Compliance

The site is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial category is not consistent with the P-R Zoning District. The situation was created when the P-R (Professional Office and Parking) and O (Office) Districts were separated and the General Plan designation was not changed to reflect the Zoning District inconsistency. The City of Las Vegas intends to sponsor a General Plan Amendment to an O (Office) land use designation at a future date to make the General Plan and Zoning District consistent on this and the neighboring property to the east.

PROJECT DESCRIPTION

The project calls for the addition of a 10,000 square-foot office building to a site that currently contains two office buildings totaling 19,600 square feet. The parking area will be re-configured to accommodate the additional square footage and will provide sufficient customer and employee parking for the development. The project will require a Variance and a waiver along with an exception.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required P-R	Provided	Compliance
Min. Lot Width	60 Feet	256 Feet	Y
Min. Setbacks			
• Front	20 Feet	32 Feet	Y
• Side	5 Feet	29 Feet	Y
• Corner	15 Feet	35 Feet	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50 %	27 %	Y
Max. Building Height	2 Stories / 35 Feet	17 Feet	Y
Trash Enclosure	50 Feet from a protected use	54 Feet	Y
Loading Space	2 15' X 25'	2	Y
Mech. Equipment	Screened	Screened	Y

The site is in compliance with Title 19.08 Development Standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The proposed 10,000 square-foot building would have a maximum height of 17 feet. This requires a Residential Adjacency setback of 51 feet per the 3:1 slope requirement. The proposed development has a setback of 29 feet in the side yard area that is affected by this standard. This deficiency would be permitted with the approval of companion Variance (VAR-11270).

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	29,600 SF.	1/300 GFA	99	4	99	5
Total			99		99	

The site is required to have a total of 99 parking spaces, four of which are handicapped accessible spaces. The applicant is providing a total of 99 parking spaces, 29 of which are compact, and four handicapped accessible spaces. This meets the requirements of Title 19.10.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	17 Trees	13 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	68 Trees	27 Trees
• Min. Zone Width	8 Feet		5 Feet
• Wall height	8 Feet		Unknown

The proposed development is deficient in several areas of landscaping. This includes the required eight-foot perimeter landscape buffer, parking lot landscaping, and the required number of trees. The applicant has requested Waivers and exceptions to mitigate these deficiencies. The Waiver is for an existing condition, the current buffer along the north property line is only five feet in width, and however it contains many mature trees and shrubs. The exception to allow less than the required landscaping in the parking lot area is not supported as it indicates that the applicant is overbuilding the site through not being able to meet these requirements.

B) General Analysis and Discussion

- Zoning

The subject property is zoned P-R (Professional Office and Parking). The P-R (Professional Office and Parking) District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R (Professional Office and Parking) District should be constructed to maintain a residential character. The P-R (Professional Office and Parking) District is consistent with the Office category of the General Plan.

Pursuant to Title 19.02.040 the proposed development fails to meet the intent of the P-R District through not maintaining a residential character. The P-R (Professional Office and Parking) District is not consistent with the Service Commercial land use designation. The situation was created when the P-R and O (Office) Districts were separated and the General Plan designation was not changed to reflect the Zoning District inconsistency. The City of Las Vegas intends to sponsor a General Plan Amendment to an O (Office) land use designation at a future date to make the General Plan and Zoning District consistent on this and the neighboring property to the east.

- Site Plan

The subject property is currently developed with two office buildings oriented toward the corner of Marcus Drive and Oakey Boulevard. The proposed third office building is located along the eastern portion of the site. The site provides adequate parking for employees and customers.

- Waivers

The site requires Waivers or exceptions of several landscaping standards. These are in regard to the parking lot landscaping and the perimeter landscape buffer, and the number of trees provided. The applicant will be required to provide additional 24-inch box trees 20 feet on-center along the northern boundary of the site to provide additional buffering between the office development and the residential use to the north.

- Landscape Plan

The landscape plan indicates that the site provides the required landscaping along both rights-of-way. The site is deficient of the required eight-foot perimeter landscape buffer, parking lot landscaping, and the required number of trees. The applicant has requested Waivers or exceptions to mitigate these deficiencies. These deviations are not supported as the proposed addition is too large for the property and does not permit the applicant to provide the proper amount of landscaping.

- Elevation

Elevations depict single-story office buildings with a maximum height of 17 feet. Materials for the proposed 10,000 square-foot building will match the materials of the two existing buildings on the site.

- Floor Plan

The floor plan for the site shows one large 10,000 square-foot area. The space will be divided up according to the tenant's requests as they sign leases for the space.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed 10,000 square-foot office is not compatible with the area. The subject property is located on a corner parcel and has residential neighbors to the north and across Oakey Boulevard to the south. The buildings are located very close to residential development and are not in compliance with residential adjacency requirements. The development is supposed to maintain a residential character as it is located in a P-R (Professional Office and Parking) District. The addition of a third 10,000 square-foot building to this site causes too much congestion and overbuilds the site, creating the loss of residential character.

2. “The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”

The Service Commercial category is not consistent with the P-R (Professional Office and Parking) Zoning District. The situation was created when the P-R (Professional Office and Parking) and O (Office) Districts were separated and the General Plan designation was not changed to reflect the Zoning District inconsistency. The City of Las Vegas intends to sponsor a General Plan Amendment to an O (Office) land use designation at a future date to make the General Plan and Zoning District consistent on this and the neighboring property to the east.

Additionally the proposed office building does not comply with development standards and requires a Variance to allow a residential adjacency setback of 29 feet where 51 feet is the minimum required. There is also a Waiver of perimeter landscape buffer requested along with an exception from parking lot landscaping and the required number of trees provided.

Together these deficiencies show that the applicant is overbuilding the site. The property will be congested and the volume of traffic will be heavier than what the site is intended to hold, for these reasons denial of this project is recommended.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

The sites primary point of ingress/egress is Oakey Boulevard. Oakey Boulevard is an 80-foot Secondary Collector. The proposed 10,000 square-foot addition would add to the traffic that this development produces and would affect the surrounding area. There is a secondary access point to the site along Marcus Drive.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building and landscape materials will mirror those already used on the existing portion of the site and would be appropriate for the area and the City of Las Vegas.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The building design matches that of the two existing structures. This is not the preferred type of architecture for the P-R District, which is typically reserved for the conversions of residences to offices rather than buildings solely designed for office use.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The site is subject to Building Code and inspections and will not endanger the general public.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 421 by Planning Department

APPROVALS 0

PROTESTS 2